



City of Coral Gables
CITY COMMISSION MEETING
January 12, 2021

ITEM TITLE:

Resolution. A Resolution of the City Commission amending Resolution No. 2020-247 removing the condition stated in Section 2, and proceeding with all other provisions of the Fourth Amendment to the Lease between the City of Coral Gables and Coral Grand, LLC approved pursuant to the Resolution.

DEPARTMENT HEAD RECOMMENDATION:

Approval

BRIEF HISTORY:

Pursuant to Ordinance No. 2009-29, the City and Coral Grand, LLC (“Tenant”) entered into a Lease (the “Lease”) dated August 6, 2009, as amended by a First Amendment dated March 30, 2010, a Second Amendment dated September 13, 2011, and a Third Amendment dated May 28, 2013 with regard to City property located at 997 North Greenway Drive, Coral Gables, FL (the “Premises”).

On March 9, 2020, the State of Florida Governor Ron DeSantis issued a State of Emergency related to the COVID-19 public health emergency directing the temporary closure or reduced operation of certain businesses. Also as a result of the COVID-19 public health emergency, Miami-Dade County Mayor Carlos Gimenez mandated that all event/banquet hall venues in Miami-Dade County cease or modify their business operations, including but not limited to, the adoption of certain social distancing guidelines and temporary limitations on their operations.

In August of 2020, Tenant notified the Landlord of its inability to pay rent and requested rent deferment assistance. The Tenant submitted to the Landlord State of Florida Department of Revenue Sales Tax Reports (the “Sales Tax Reports”) for January-July 2019 and January-July 2020. By reviewing the Sales Tax Reports, the Landlord was able to assess that the Tenant’s operations have been affected more significantly by the COVID-19 health emergency and designated Miami-Dade County business closures than other City tenants given that most of the Tenant’s revenues derive from operating as an events/conference venue.

On October 27, 2020, pursuant to Resolution 2020-247, Landlord and Tenant entered into a Fourth Amendment to the Lease granting the Tenant rent deferment for 100% of rent due for August 1 and September 1 and 50% of rent due October 1, November 1, and December 1, 2020 (\$95,650.31) (the “Deferred Rent”) and waives any late charges, fees, and penalties provided for in the Lease during the deferment period. The Fourth Amendment to Lease also provided the Tenant with an eight (8)-month Deferred Rent

Repayment Plan (January-August 2021) during which the Tenant will pay the Landlord monthly rent pursuant to the Lease and will also make monthly installments toward the Deferred Rent as follows:

Payment Date	Rent Due	Sales Tax	Deferred Rent Installment Due	Total Rent Payment Due
January 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
February 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
March 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
April 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
May 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
June 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
July 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46
August 1, 2021	\$26,095.00	\$1,696.18	\$ 11,956.29	\$ 39,747.46

Section 2 of Resolution No. 2020-247 also stated, as a condition to the approval of the Fourth Amendment to the Lease, that the Tenant agree to reimburse the deposits provided by the Coral Gables-based non-profit organizations, GENES Foundation and the Friends of Gables High, within thirty (30) of executing the Fourth Amendment to the Lease.

The Landlord is seeking City Commission approval to amend Resolution 2020-247 to remove the condition stated in Section 2 and proceed with all other provisions of the Fourth Amendment to the Lease between the City of Coral Gables and Coral Grand, LLC approved pursuant to the Resolution.

LEGISLATIVE ACTION:

Date.	Resolution/Ordinance No.	Comments
6/4/09	Ordinance 2009-29	Approval of Lease
3/9/10	Ordinance 2010-03	Approval of First Amendment
9/13/11	Resolution 2011-233	Approval of Second Amendment
5/28/13	Resolution 2013-87	Approval of Third Amendment
10/27/20	Resolution 2020-247	Approval of Fourth Amendment

FINANCIAL INFORMATION: (If Applicable)

No.	Amount	Source of Funds
N/A		

ATTACHMENT(S):

- 1. Draft Resolution**
- 2. Fourth Amendment to Lease Agreement**